

Wednesday, 9 April 1947.

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INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Chambers of the Tribunal  
War Ministry Building  
Tokyo, Japan.

PROCEEDING IN CHAMBERS

On

Request for stay of execution  
of a condemned, one HARADA,  
Kumakichi, held in Singapore  
by the British;  
For purpose of affidavit on  
behalf of accused HATA, Shunroku.

Before:

HON. SIR WILLIAM WEBB  
President of the Tribunal and  
Member from the Commonwealth  
of Australia.

Reported by:

Jack Greenberg  
Chief Court Reporter  
IMTFE

Appearances:

For the Defense Section:

MR. A. G. LAZARUS.

For the Office of the General Secretary, IMTFC:

COLONEL G. W. HANLEY, Executive Officer;  
JUDGE E. H. DELL, Legal Adviser;  
MR. CHARLES A. MANTZ, Clerk of the Court.

The proceeding was begun at 1607.

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THE PRESIDENT: You state what the matter is.

MR. LAZARUS: Yes, sir. On behalf of the accused HATA, Shunroku, I asked for a subpoena for one, HARADA, Kumakichi, then held in Singapore by the British authorities, and the subpoena was granted as prayed. Later, HARADA was found guilty by a British courts martial and sentenced to be executed.

Since then, a person for and on behalf of the accused MATSUI, has taken an affidavit from the accused HARADA on another matter. Apparently, as I am informed now, the authorities are prepared to proceed with the execution, believing that the purpose of the subpoena has been executed by the taking of this one affidavit.

A week ago I gave the questions to be asked and the subject of the affidavit to be taken to Captain Parsons, the chief investigator for the defense, and he is preparing to go to Singapore within a few days to take the affidavit for us.

I now learn through Colonel Henley that perhaps we may be too late that way and that the British are prepared to proceed with the execution unless they hear in some way from this Tribunal,

asking them to hold off; and I am here respectfully requesting that the Tribunal indicate in some manner that it requests that the execution be stayed for a little while longer.

THE PRESIDENT: I must fix a time, Mr. Lazarus.

MR. LAZARUS: I see, sir.

THE PRESIDENT: Until what time do you suggest I ask them to delay the execution?

MR. LAZARUS: Sir, I am told that Captain Parsons will leave within the week. Now, what transportation difficulties he might encounter and when he will arrive, I do not know, sir.

LIEUT. COLONEL HANLEY: He indicated to me that he would not be certain of arriving there before 1 May.

MR. LAZARUS: Which would be approximately three weeks from now.

THE PRESIDENT: Will one month be all right?

MR. LAZARUS: I think so, sir.

THE PRESIDENT: Then I will request the authorities to defer the execution for one month from this date to enable the affidavit to be taken from the condemned on behalf of the accused HATA.

MR. LAZARUS: Thank you, sir.

THE PRESIDENT: That is all I can do. Is that satisfactory?

MR. LAZARUS: Yes, sir. I was going to say that it might be a little close, one month from today, if he cannot get there before the 1st of May. Does the President think, perhaps --

THE PRESIDENT: Well, you can make a further affidavit.

MR. LAZARUS: I hope it will not be necessary. Thank you very much.

(Whereupon, at 1612, the proceedings were concluded.)

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